

# 2

## SCHWEGMAN □ LUNDBERG □ WOESSNER □ KLUTH

PATENT, TRADEMARK &amp; COPYRIGHT ATTORNEYS

P.O. Box 2938

Minneapolis, MN 55402

Telephone (612) 373-6900

Facsimile (612) 339-3061

**URGENT!**

September 26, 2003

Time: 10:15 a.m.  
(Minneapolis, Minn.)TO: Commissioner for Patents  
Attn: Delora Dillard  
Customer Service  
Facsimile Center  
P.O.Box 1450  
Alexandria, VA 22313-1450FROM: Patricia A. HultmanOUR REF: 1435.008US1

FAX NUMBER 1-703-305-9822

## • Please deliver to DELORA DILLARD \*


Ms. Dillard: We filed a Request for Reconstruction of Patent Application on August 8, 2002, which was misplaced. I filed another copy, which was hand delivered, on February 12, 2003. To date, this application still does not exist with the USPTO. Please call me as soon as possible at (612)373-6935 with the status of this application. Thank you in advance for your immediate attention to this matter.

Document(s) Transmitted: Copy of Request for Reconstruction of Patent Application filed August 8, 2002 (67 pages).Total pages of this transmission, including cover letter: 68 pgs.

If you do NOT receive all of the pages described above, please telephone us at 612-373-6900, or fax us at 612-339-3061.

In re. Patent Application of: Kathryn E. Uhrich et al.Serial No.: 09/508217Filed: March 8, 2000Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL DEGRADATION PRODUCTSExaminer: UnknownGroup Art Unit: UnknownDocket No.: 1435.008US1

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

  
Patricia A. Hultman9-26-03  
Date of Transmission

AUG-13-2002 15:45

703 415 1080 P.03/04

RECEIVED  
2002 AUG -8 PM 2: 05

In re Patent Application of: Kathryn E. Ulrich et al.  
Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL  
DEGRADATION PRODUCTS  
Serial No.: 09/508,217

Filing Date: March 8, 2000

Receipt is hereby acknowledged for the following in the United States Patent and  
Trademark Office:

**CONTENTS:** Request for Reconstruction of Patent Application (3 pgs.); Statement of  
Certification (1 pg.); copy of file history for U.S. S/N 09/508,217, as outlined in Request for  
Reconstruction submitted herewith; a Return Postcard and TRANSMITTAL SHEET.

Hand-Delivered: August 8, 2002  
RJH/amr

Docket No.: 1435.008US1  
Due Date: N/A

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AUG-13-2002 15:45

703 415 1880 P.02/04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kathryn E. Uhrich et al.

Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL DEGRADATION PRODUCTS

Docket No.: 1435.008US1

Filed: March 8, 2000

Examiner: Unknown

Serial No.: 09/508,217

Due Date: N/A

Group Art Unit: Unknown

Commissioner for Patents  
1213 Jefferson Davis Highway  
Customer Service, 3<sup>rd</sup> Floor  
Crystal Gateway 4  
Arlington, VA 22202  
ATTN: LINDA SMITH

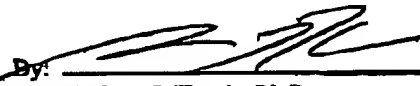
2002 AUG -8 PM 2:05

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ Request for Reconstruction of Patent Application (3 pgs.).
- ☒ Statement of Certification (1 pg.).
- ☒ copy of file history for U.S. S/N 09/508,217, as outlined in Request for Reconstruction submitted herewith.

Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

**SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.**  
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By:   
Att: Robert J. Harris, Ph.D.  
Reg. No. 37,346

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, 1213 Jefferson Davis Highway, Customer Service, 3<sup>rd</sup> Floor, Crystal Gateway 4, Arlington, VA 22202, ATTN: LINDA SMITH, on this 8th day of August, 2002.

Paul DelGuidice  
Name

  
Signature

Customer Number 21186

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)

P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

AUG-13-2002 15:45

723 415 1080 P.04/04

**S/N 09/508,217****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kathryn E. Uhrich et al.

Examiner: Unknown

Serial No.: 09/508,217

Group Art Unit: Unknown

Filed: March 8, 2000

Docket: 1435.008US1

Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL  
DEGRADATION PRODUCTS**REQUEST FOR RECONSTRUCTION OF PATENT APPLICATION**

Commissioner for Patents  
1213 Jefferson Davis Highway  
Customer Service, 3<sup>rd</sup> Floor  
Crystal Gateway 4  
Arlington, VA 22202  
ATTN: LINDA SMITH

2002 AUG -8 PM 2:15

Due to the fact that Applicants' had not received an action of any kind in connection with U.S. Patent Application Serial Number 09/508,217, Applicants' Representatives authorized our agent to inspect and make copies of the U.S. Patent and Trademark Office file for the file history of said application. Upon attempting to inspect the file, the agent was informed that the entire file history was missing.

Applicants hereby petition to reconstruct the file history of the above-identified patent application by submission of copies of the following documents:

- 1.) U.S. National Stage Application Filing under 35 U.S.C. 371 on March 8, 2000:
  - a.) Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371 of International Application No. PCT/US98/18816;
  - b.) A copy of the International Search Report for PCT/US98/18816;
  - c.) A copy of the Written Opinion for PCT/US98/18816;
  - d.) Information Disclosure Statement, Form 1449, and two cited documents;
  - e.) Verified Statement (Declaration) Claiming Small Entity Status;
  - f.) Copy of Check No. 7621, dated March 3, 2000, in the amount of \$600;  
and
  - g.) Itemized return-receipt postcard and Express Mail receipt from filing of same.

**REQUEST FOR RECONSTRUCTION OF PATENT APPLICATION**

Serial Number: 09/508,217

Filing Date: March 8, 2000

Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL DEGRADATION PRODUCTS

Page 2

Dkt: 1435.008US1

- 2.) Assignment for recordation filed on September 21, 2001:
  - a.) Exhibit B: Form of Recordable Assignment (pages B1 and B2) and Assignment recordation form cover sheet;
  - b.) Copy of Check No. 17343, dated September 21, 2001, in the amount of \$200; and
  - c.) Copies of transmittal document and itemized return-receipt postcard from filing of same.
- 3.) Assignment to Rutgers, The State University of New Jersey recorded on September 28, 2001 at Reel 012195, Frame 0352.
- 4.) Revocation and Power of Attorney filed February 7, 2002:
  - a.) Revocation and Power of Attorney; and
  - b.) Copies of transmittal document and itemized return-receipt postcard from filing of same.
- 5.) Power to Inspect and Make Copies, dated May 1, 2002.

Copies of the documents identified in the preceding paragraph comprise the entire file history of U.S. Patent Application Serial No. 09/508,217, to the best knowledge of Applicants' Representatives. A Statement of Certification by Applicants' Representatives is also enclosed herewith for the Examiner's benefit.

Applicant respectfully requests notification of reconstruction of the instant application and of the occurrence of the initial patent examination process. The U.S. Patent Office is invited to telephone Applicant's attorney ((612) 359-3265) to facilitate prosecution of this application.

## REQUEST FOR RECONSTRUCTION OF PATENT APPLICATION

Serial Number: 09/508,217

Filing Date: March 8, 2000

Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL DEGRADATION PRODUCTS

Page 3

Dkt: 1435.008US1

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

KATHRYN E. UHRICH ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3265

Date

8-7-02

By



Robert J. Harris, Ph.D.  
Reg. No. 37,346

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being hand-delivered to: Commissioner of Patents, 1213 Jefferson Davis Highway, Customer Service, 3<sup>rd</sup> Floor, Crystal Gateway 4, Arlington, VA 22202, ATTN: LINDA SMITH, on this \_\_\_\_ day of August, 2002.

Paul DeGuidice  
Name

Signature

S/N 09/508,217PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kathryn E. Uhrich et al.	Examiner:	Unknown
Serial No.:	09/508,217	Group Art Unit:	Unknown
Filed:	March 8, 2000	Docket:	1435.008US1
Title:	POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL DEGRADATION PRODUCTS		

STATEMENT OF CERTIFICATION

Commissioner for Patents  
1213 Jefferson Davis Highway  
Customer Service, 3<sup>rd</sup> Floor  
Crystal Gateway 4  
Arlington, VA 22202  
ATTN: LINDA SMITH

I hereby certify that the enclosed documents comprise the file history that is missing from the U.S. Patent and Trademark Office's file for U.S. application Serial No. 09/508,217.

Moreover, I certify that these pages were copied from our file for U.S. application Serial No. 09/508,217.

Respectfully submitted,

KATHRYN E. UHRICH ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3265

Date

8-7-02

By



Robert J. Harris, Ph.D.  
Reg. No. 37,346

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Paul DelGuidice  
Name

Signature

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

In re application of Katlyn E. Uhrich et al.

Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL  
DEGRADATION PRODUCTS

Serial No. 09/508,217

Filed: March 8, 2000

CONTENTS: Revocation and Power of Attorney (2 pages) and transmittal document (1 pg.).

RJH:CMG:dmp

Docket: 1435.008US1

Mailed: February 7<sup>th</sup>, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kathryn E. Uhrich et al.

Title: POLYANHYDRIDES WITH THERAPEUTICALLY USEFUL DEGRADATION PRODUCTS

Docket No.: 1435.008US1

Filed: March 8, 2000

Examiner: Unknown

Serial No.: 09/508,217

Due Date:

Group Art Unit: Unknown

Commissioner for Patents

Washington, D.C. 20231


We are transmitting herewith the attached:

☒ Revocation and Power of Attorney (2 pages)

☒ A return postcard.

Other: \_\_\_\_

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By:   
Name: Robert J. Harris, Ph.D.  
Reg. No. 37,346  
RJH:CMG:dmp

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 7th day of February, 2002.

Name

Dawn M. Poole

Signature

Dawn M. Poole

RECEIVED BY THE UNITED STATES  
 PATENT AND TRADEMARK OFFICE for the PCT  
 Paper: Transmittal Letter (in duplicate with Express  
 Mail Stamp) to the United States Designated/Elected  
 Office Concerning a Filing under 35 U.S.C. 371;  
 translation of International Application; copy of Search  
 Report; Unexecuted Combined Declaration; copy of  
 Preliminary Examination Report; Executed Verified  
 Statement Claiming Small Entity Status; Information  
 Disclosure Statement; check for \$600.00 for filing fee;  
 all via return receipt Express Mail #EL476650656US

Applicant(s): Kathryn Uhrich  
 Serial No.: PCT/US98/18816  
 Filed: Herewith  
 Docket No.: RU-0092  
 Date Sent: March 8, 2000 DEB

09/508217

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 translation of International Application; copy of Search  
 Report; Unexecuted Combined Declaration; copy of  
 Preliminary Examination Report; Executed Verified  
 Statement Claiming Small Entity Status; Information  
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Applicant(s): Kathryn Uhrich  
 Serial No.: PCT/US98/18816  
 Filed: Herewith  
 Docket No.: RU-0092  
 Date Sent: March 8, 2000 DEB

412 Rec'd PCT/PTO 08 MAR 2000

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## RECEIVED BY THE UNITED STATES

## PATENT AND TRADEMARK OFFICE for the PCT

Paper: Transmittal Letter (in duplicate with Express Mail Stamp) to the United States Designated/Elected Office Concerning a Filing under 35 U.S.C. 371; translation of International Application; copy of Search Report; Unexecuted Combined Declaration; copy of Preliminary Examination Report; Executed Verified Statement Claiming Small Entity Status; Information Disclosure Statement; check for \$600.00 for filing fee; all via return receipt Express Mail #EL476650656US

Applicant(s):	Kathryn Uhrich
Serial No.:	PCT/US98/18816
Filed:	Herewith
Docket No.:	RU-0092
Date Sent:	March 8, 2000 DEB

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1. Article Addressed to:

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102585-99-M-1789

<b>JANE MASSEY LICATA ESQ.</b>		55-33/212	<b>7621</b>
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PAY TO THE ORDER OF <u>Commissioners of Motor and Trademark Office</u>		\$ <u>600.00</u>	
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 93274 Your Fleet Office Fairfax, New Jersey 08043			
MEMO <u>RV-0092</u>		<u>Jane Massey Licata</u> MP	
⑆021200339⑆ 27420 03429⑆ 7621			



U.S. APPLICATION NO. (IF KNOWN, 7		INTERNATIONAL APPLICATION NO. PCT/US98/18816		ATTORNEY'S DOCKET NUMBER RU-0092	
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21. The following fees are submitted:

<b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	40 - 20 =	20	x \$18.00	\$360.00	
Independent claims	3 - 3 =	0	x \$78.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,200.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input checked="" type="checkbox"/>				\$600.00	
<b>SUBTOTAL =</b>				\$600.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				\$600.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$600.00	
				Amount to be: refunded	\$
				charged	\$

☒ A check in the amount of \$600.00 to cover the above fees is enclosed.  
☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.  
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 12-1086 A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

Jane Massey Licata  Law Offices of Jane Massey Licata 66 E. Main Street Marlton, New Jersey 08053  Telephone: (856) 810-1515 Facsimile : (856) 810-1454	<div style="text-align: center;">           SIGNATURE       </div> <div style="text-align: center;">         LICATA, Jane Massey          NAME       </div> <div style="text-align: center;">         32,257          REGISTRATION NUMBER       </div> <div style="text-align: center;">         8 March 2000          DATE       </div>
--	--